

DECLARATION OF PATENT APPLICATIONocket No. AM-9931

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

AUTOMATIC TURBOGENERATOR RESTARTING SYSTEM AND METHOD

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby appoint the following attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ALBERT J. MILLER

Address all telephone calls to Albert J. Miller at (707) 964-1154

Address all correspondence to Albert J. Miller, 24441 Hillshore Drive, Westport, CA 95488

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor MARK G. GILBRETH
 First joint inventor's signature Mark G. Gilbreth Date November 17, 1999
 Residence Woodland Hills, CA Citizenship U.S.A.
 Post Office Address 21520 Burbank Blvd. #306, Woodland Hills, CA 91367

Full name of second joint inventor SIMON R. WALL
 Second joint inventor's signature Simon R. Wall Date November 17, 1999
 Residence Thousand Oaks, CA Citizenship United Kingdom
 Post Office Address 359 Hodencamp Road #132, Thousand Oaks, CA 91360

Full name of third joint inventor ÅKE N. C. ALMGREN
 Third joint inventor's signature Åke N. C. Almgren Date November 17, 1999
 Residence Calabasas, CA Citizenship Sweden
 Post Office Address 24496 Park Granada, Calabasas, CA 91302

Full name of fourth joint inventor JOEL B. WACKNOV
 Fourth joint inventor's signature Joel B. Wacknov Date November 17, 1999
 Residence Thousand Oaks, CA Citizenship U. S. A.
 Post Office Address 3599 Lang Ranch Parkway, Thousand Oaks, CA 91362

T09040 22200650

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS Docket No. AM-9931
(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR

Applicants: Mark G. Gilbreth, Simon R. Wall, Ake N. C. Almgren, and Joel B. Wacknov

Title: **AUTOMATIC TURBOGENERATOR RESTARTING SYSTEM AND METHOD**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in the specification filed herewith with title as listed above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e)

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

Capstone Turbine Corporation
6430 Independence Avenue
Woodland Hills, CA 91367

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR Mark G. Gilbreth  November 17, 1999
Signature Date

NAME OF INVENTOR Simon R. Wall  November 17, 1999
Signature Date

NAME OF INVENTOR Ake N. C. Almgren  November 17, 1999
Signature Date

NAME OF INVENTOR Joel B. Wacknov  November 17, 1999
Signature Date

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN

Docket No. AM-9931

Applicants: Mark G. Gilbreth, Simon R. Wall, Ake N. C. Almgren, and Joel B. WacknovTitle: **AUTOMATIC TURBOGENERATOR RESTARTING SYSTEM AND METHOD**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Capstone Turbine Corporation
 ADDRESS OF SMALL BUSINESS CONCERN 6430 Independence Avenue, Woodland Hills, CA 91367

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the specification filed herewith with title as listed above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:
 No such person, concern, or organization exists.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Jeffrey R. WattsTITLE OF PERSON IF OTHER THAN OWNER Senior Vice President, Finance and AdministrationADDRESS OF PERSON SIGNING 6430 Independence Avenue, Woodland Hills, CA 91367SIGNATURE  DATE 11-18-99